

USDA
CALIFORNIA

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

NOV 25 1983

In re:)	P&S Docket No	D-19-0204-10
)		
)		
Richard Hale,)		
)		
Respondent)	Complaint	

There is reason to believe that the respondent named in this Complaint has willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*)(Act), and the regulations promulgated there under by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*)(Regulations), therefore, this Complaint is issued alleging the following:

I.

(a) Richard Hale (Respondent), is an individual whose business mailing address is 278 Highway 74, Twin Falls, ID 83301.

(b) At all times material to this Complaint, Respondent was:

(1) A dealer, engaged in the business of buying and selling in commerce livestock, either on his own account or as the agent of the vendor or purchaser; and

(2) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account and for the account of others.

II.

(a) On May 20, 2010, the Chief Administrative Law Judge Davenport entered a Decision Without Hearing by Reason of Consent in the case *In re: Richard Hale*, P&S Docket No. D-10-0001, that ordered Respondent to cease and desist from failing to pay, when due, the full purchase price of livestock as required by section 409 of the Act (7 U.S.C. § 228b).

(b) The provisions of the cease and desist order are still in effect.

III.

From the period of June 9, 2010 through November 4, 2010, Respondent purchased livestock in approximately 55 transactions from Burley Livestock Auction, LLC, of Burly ID and from Producers Livestock Marketing Association of Jerome ID, and made payment between 5 and 21 days beyond the date payment was due.

IV

By reason of the facts alleged in paragraph III, Respondent has willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a), 228b).

WHEREFORE, it is ordered that for the purpose of determining whether Respondent has willfully violated the Act, this Complaint shall be served upon Respondent. Respondent shall file an answer within 20 days with the Hearing Clerk of the United States Department of Agriculture, Washington, DC 20250, in

accordance with the Rules of Practice. Failure to file an answer shall constitute an admission of all the material allegations of this Complaint.

Packers and Stockyards Program, GIPSA, requests:

That unless Respondent fails to file an answer within the time allotted, or files an answer admitting all of the material allegations of this Complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and

That such order or orders be issued, including an order requiring Respondent to cease and desist from the violations found to exist, suspending Respondent as a registrant under the Act, and assessing such civil penalties, as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.,

This 25 day of January 2012



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program, GIPSA

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